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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,045	12/03/2004	William K. Steiner	43146-0019	1186

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EXAMINER	
STINSON, FRANKIE L	

ART UNIT	PAPER NUMBER
1792	

MAIL DATE	DELIVERY MODE
02/12/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/517,045	STEINER ET AL.	
	Examiner	Art Unit	
	FRANKIE L. STINSON	1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *22-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *22-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/3/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

1. Claim 24 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 24, line 3, the phrase, "the solvent" is without proper antecedent basis.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 22, 24-26, 30, 31, 35-40 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over either France (U. S. Pat. No. 6,811,811) or Severns et al. (U. S. Pat. No. 6,691,536) in view of Spadini et al. (U. S. Pat. 4,348,928), Henderickson et al. (U. S. Pat. No. 4,254,139) or Flesher et al. (U. S. Pat. No. 4,170,565).

Re claims 22, 30, 37, 40 and 42, France and Severns are each cited disclosing a process/apparatus for cleaning textile in a drum within a machine, said process/apparatus comprising:

a drum machine (washer/dryer combo);

a means for introducing liquid into the drum;

generating relative movement between the textile and the liquid and;

dampening the textile with liquid, other than for spotting, in the absence of soaking or immersing the textile in liquid (see col. 3 line 33 thru col. 4, line 36 in France

and col. 9, line 40 thru col. 10 line 18 in Severns) that differs from the claims only in the recitation of the controlling the duration that the textile maintains hydration with the controlling including at least in part placing highly absorbent pad material into the drum for absorbing at least some of the liquid in the textile and drum for release back into air within the drum and into the textile at a rate slower than being released from the dampened textile and having the pad rubbing contact with the textile. The patents to Spadini, Henderickson and Flesher are each cited disclosing the arrangement of controlling the duration of hydration as claimed. Namely, by placing a highly absorbent pad material into the drum for absorbing at least some of the liquid in the textile and drum for release back into air within the drum (see Spadini col. 10, lines 57-68, Hendrickson the abstract and Flesher col. 15, lines 4-24). It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of either France or Severns, to include a pad as taught by for the purpose of enhancing the treatment process. As for the release rate being slower than of the dampened textile, the same is deemed to be inherent in view of the density and thickness of the pads in Spadini, Henderickson and Flesher, versus that of the lesser dense textile material. Inherency is also applicable to the subject matter of claim 26, in that the pads would inherently retain moisture to hydrate the textile. Re claims 24 and 25, Severns and France disclose the spraying of the solvent and the dampening being at least one of water, steam or air (see col. 3, lines 65-67 in France and col. 14, line 12 in Severns). Re claims 31 and 38, Henderickson discloses the pad being attached to the drum (see “magnetized layer” 4). Re claim 35, France and Severns disclose the automatic spraying of the solvent. Re

claim 36, Severns and France are cited as applied to the subject matter of claim 25 above. Re claim 39, France and Severns discloses the washing and drying machine while Spadini, Henderickson and Flesher disclose the pad in the machine for washing and drying cycle (see Spadini col. 10, lines 57-68, Hendrickson the abstract and Flesher col. 15, lines 4-24).

4. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 22 above, and further in view of either Brook et al. (U. S. Pat. No. 6,555,516) or Japan'996 (Japan 58-142996).

Claim 23 defines over the applied prior art only in the recitation of the textile being manually dampened. Brook (col. 3, lines 37-40) and Japan'996 disclose the arrangement of manually dampening the textile. It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of either France or Severns, to have the textile manually dampened as taught by either Brooks of Japan'996, for the purpose of enhancing the cleaning process.

5. Claims 32-34 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 22 above, and further in view of either Mizuno (U. S. Pat. No. 3,870,145) or Hyman (U. S. Pat. No. 2,651,509).

Claim 32 defines over the applied prior art only in the recitation of the pad being attached to a lifting rib of the drum. Mizumo (col. 2, lines 55-56) and Hyman are each cited disclosing the attachment position as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of either France or Severns, to have the pad positioned as taught by either Mizumo or Hyman, since this

is considered to be a mere rearrangement of parts (see MPEP 2144.04 REVERSAL, DUPLICATION OR RE-ARRANGEMENT OF PARTS). Re claims 33 and 41, Hyman discloses the pad as being untreated and as a cushion for buttons and zippers. Re claim 34, Henderickson discloses the felt material (col. 4, line 58).

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 27 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by clearly anticipated by Bauer (U. S. Pat. No. 3,947,971), EPO'863 (European Patent Office 328 863), Spadini, Henderickson or Flesher.,

Note the absorbent pad in Bauer, EPO'863, Spadini, Henderickson and Flesher and the relative motion providing a scrubbing action as claimed. Also note the liquid in the drum as disclosed in Bauer (col. 2, lines 17-26).

8. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bauer, EPO'863, Spadini, Henderickson and Flesher in view of either France or Severns.

Claim 29 defines over the applied prior art only in the recitation of the combo washer/dryer. France and Severn as therefore cited as applied above. Re claim 29, the hydration as claimed is deemed to be inherent in that the moisture, released from the padded material would inherently reduce wrinkles during drying.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Telesca et al.'540, Lindauer et al., Aouad et al., Mahan, Reynolds, Meyer et al., Dillarstone, Caputo and Bolan et al., note the moisture releasing means.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls

/FRANKIE L. STINSON/
Primary Examiner, Art Unit 1792